

## Safety belt use rebounds

**A**ccording to the recent safety belt observation, the statewide safety belt use rate has bounced back from 80.0 percent just after Memorial Day to 82.9 percent following the Labor Day holiday. OHSP believes this happened because of law enforcement's commitment to make safety belt enforcement a priority and community support for their efforts. Thank you!

Unfortunately, the reality is the safety belt use rate has not increased since the law changed to primary enforcement over two years ago. To achieve our goal of 90 percent belt use by 2003, as other states have already done, law enforcement must continue to persuade the public to buckle up by conducting periodic, highly-visible enforcement.

That is why OHSP continues to participate in the national enforcement mobilizations.

Safety belt use is getting higher across the country. Michigan is number 10, with a use rate of 82.9 percent.

It will take continued publicity and consistent, highly-visible, strict enforcement of the law to

improve upon the safety belt use rate and decrease the alcohol/drug-related fatalities in Michigan.

A national wave of highly-visible enforcement in both small towns and major metropolitan cities is a proven strategy that increases safety belt use and reduces impaired driving. National mobilization efforts occur during the holiday periods when travel usually increases.

Several of the national research agencies agree that the most effective way to change the behavior of



young men, the most frequent offender, is through periodic high-visibility enforcement campaigns. This has repeatedly demonstrated success.

OHSP will coordinate full implementation of the enforcement model including stepped-up publicity efforts, paid advertising for each mobilization, and an evaluation component.

For more information, contact Alicia Sledge (impaired driving) at (517) 333-5321 or [sledgea@michigan.gov](mailto:sledgea@michigan.gov) or Pat Eliason (safety belts) at (517) 333-5318 or [eliasonp@michigan.gov](mailto:eliasonp@michigan.gov).

### PERCENTAGE OF SAFETY BELT USE IN OTHER STATES

Washington	92.6
California	91.1
New Mexico	87.8
Oregon	87.0
Vermont	85.0
District of Columbia	83.1
Puerto Rico	83.1
North Carolina	83.0
Maryland	82.9
Michigan	82.9

## Law Enforcement Leaders Meet on Safety Belt Enforcement

**S**afety belt leadership meetings were conducted just prior to Labor Day in an effort to assist law enforcement as they stepped up their efforts. Wayne, Washtenaw, Oakland, Kalamazoo and Ingham counties hosted events. All agencies in the county were invited to attend to hear the latest about the falling safety belt use and strategies to address the falling numbers. The meetings were a success as Michigan registered a use of 82.9 percent following the Labor Day sweep.

Future meetings are scheduled with law enforcement from Bay, Genesee, Kent, Saginaw, and Wayne counties and the cities of Grand Rapids and Detroit.

# DIRECTOR'S ◆ CORNER ◆

BETTY J. MERCER

*Division Director, Office of Highway Safety Planning*

As much as most of us look forward to the holidays, traffic safety advocates know these times can also be deadly for motorists. Crowded roads combined with drivers who may be hurried, inattentive or just plain tired can make for a dangerous situation.

That's why the **Click It or Ticket** and **You Drink & Drive. You Lose.** campaigns are essential to promoting safe and responsible travel. We are fortunate to have a solid base of support from our law enforcement community. A record number of agencies have agreed to take part in the mobilizations designed to promote safe driving. For that we are thankful.

We know that when traffic laws are strictly enforced, and the enforcement is well publicized, we can make a difference. There is no value that can be placed on a gift like that.

Tight budgets and slim staffs present challenges for all of us. Our law enforcement support, as well as that of our partners, is that much more appreciated in times when we're all stretched to meet the needs of our customers and our communities.

We are just now beginning to build momentum that I believe in the new year will see Michigan reach record-high belt use rates and turn the tide on the stalled alcohol-involved fatality rate. We thank everyone for their support and look forward to what we can accomplish in 2003.

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## Michigan Operation Lifesaver Update

The Traffic Safety Association of Michigan (TSAM) is now the new "home" of the Operation Lifesaver Railroad Safety Program. TSAM will be the materials supply point and distribution center for selected materials. The Michigan Department of Transportation will continue to provide funding for the program through the Michigan Railroad Association. The TSA will also handle registrations for the railroad safety classes through a new toll-free phone line: (800) 759-9012.





## Michigan law enforcement agencies to participate in national mobilizations

**O**HSP will collaborate with the National Highway Traffic Safety Administration and other partners for the national safety belt and drunk driving mobilizations occurring in December 2002, May and July 2003. Michigan supports the mobilizations through the **Click It or Ticket** and **You Drink & Drive. You Lose.** campaigns.

The dates for the enforcement mobilizations are:  
**You Drink & Drive. You Lose.** December 20, 2002–  
January 5, 2003

**Click It or Ticket** May 19–  
June 1, 2003

**You Drink & Drive. You Lose.** June 27–  
July 13, 2003

OHSP is also sponsoring an equipment incentive for law enforcement agencies to encourage their participation. More information about the equipment challenge can be found at [www.michigan.gov/msp](http://www.michigan.gov/msp). Click on "Services to Governmental Agencies."

### Michigan Prosecutor Named as NHTSA's First Prosecutor Fellow

**T**he National Highway Traffic Safety Administration (NHTSA), along with the National Association of Prosecutor Coordinators, selected **Herb Tanner, Jr.**, as their first prosecutor fellow. Herb has served as the chief assistant prosecutor in Montcalm County, Michigan, since 1999, where he is primarily responsible for prosecuting felony cases. He is an active member and frequent lecturer and instructor for the Prosecuting Attorneys Association of Michigan. During the course of his fellowship with NHTSA, Herb will be traveling to NHTSA and other venues explaining the role of the prosecutor and how they are beneficial to our traffic safety programs.



Direct questions regarding the **Click It or Ticket** or **You Drink & Drive. You Lose.** campaigns or the law enforcement challenge to:

**Click It or Ticket**  
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**You Drink & Drive. You Lose.**  
Alicia Sledge  
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### Status of Traffic Records Redesign project

**T**he Crash Process Redesign (CPR) project is moving ahead with great progress. Phase one is rapidly coming to a close; this phase included the creation of business and technical requirements as well as the scoping and estimating documents. Phase two, which is expected to be finished in fall 2003, will include:

- Moving of the crash application from a mainframe-based platform to a client/server environment.
- Establishing a new "front end" functionality to process crash data.
- Establishing web-based access for law enforcement.
- Coordinating with the LEAMS project to accept automated data.
- Providing electronic access to the UD-10 images.
- Streamlining the distribution of crash data with MDOS, MDOT and other traffic safety partners.

Future phases will include enhancements to the location process, training, further law enforcement data access, enhancements to electronic data entry and improvements to the overall quality of crash data. For more information, contact the CPR project manager, Jack Benac, at (517) 335-2975 or [benacj@michigan.gov](mailto:benacj@michigan.gov).





## News from the Association

One of the most common job concerns expressed by law enforcement is the amount of paperwork required following an OUIL arrest. In an effort to streamline the process, PAAM, with funding support from OHSP, and other individuals from various law enforcement fields will be working on reducing the number of forms that you need. This committee expects to develop a standardized form that can be used by all agencies and at the same time, reduce the amount of paperwork. In addition, this new report form will be developed in an electronic format. To help in that endeavor, and allow us to better understand the issue, please send samples of any forms you are now required to complete after an OUIL arrest to David Wallace, Traffic Safety Training Attorney, 116 West Ottawa, Suite 200, Lansing, Michigan 48913.



In a Michigan case, the Defendant claimed the evidence was insufficient for a conviction of fleeing and eluding because the pursuit lasted only 20 seconds, he took no evasive maneuvers, and he only slightly exceeded the speed limit. The court held there was no requirement that the defendant's speed must exceed a certain level or the speeding occur over a long distance. Based on the speeding, a sharp turn, and defendant's running after exiting the vehicle, there was circumstantial evidence the defendant was trying to flee and avoid capture while he was in his vehicle. *People v Grayer*, CA No. 229267, July 26, 2002



Finally, to give everyone a heads up, next year the



Traffic Safety Training Project at PAAM will again hold a training program called **Protecting Lives, Saving Futures**. It is designed to train law enforcement and prosecutors together. It has been held twice this year, and been received by all the participants as a huge success. This

course is designed to train officers and prosecutors together in the detection, apprehension, and prosecution of intoxicated drivers. The joint approach will allow everyone to learn from each other inside a classroom rather than outside a courtroom five minutes before the trial. Both professions will learn firsthand the challenges and difficulties the other faces in prosecuting the intoxicated driver. The program is scheduled for June 17-19, 2003 in Augusta, Michigan.

—David Wallace, Traffic Safety Training Attorney,  
Prosecuting Attorneys' Association of Michigan

*Consult your prosecutor before adopting practices suggested by reports in this article. The statutes and court decisions in this article are reported to help you keep up with trends in the law. Discuss your practices that relate to these statutes and cases with your commanding officers, police legal advisors, and the prosecuting attorney, before changing your practices in reliance on a reported court decision or legislative change.*



In other areas of the law, the Sixth Circuit Court ruled that the district court properly denied the defendants' motions to suppress evidence recovered from their vehicle because the officers had probable cause to stop the vehicle after observing a parking violation and following the vehicle for

about a mile. The court disagreed with the district court's finding that a parking violation, by itself, did not constitute adequate grounds to stop the vehicle because it was not a traffic violation. The placement of defendants' vehicle at a 45-degree angle to the curb, facing the wrong direction, clearly violated Michigan's parking regulations. Based on Michigan statutory language, an officer can effect a stop based upon a driver's failure to comply with Michigan's parking regulations, even if the vehicle is no longer parked. Thus, an antecedent parking violation can conceivably form the basis for probable cause to stop a vehicle. The court also concluded the stop one mile from the parked location was reasonable under the circumstances. The case was Affirmed. *United States v. Copeland*, Court of Appeals, Sixth Circuit, Nos. 01-1005/1016, Decided September 10, 2002.

# Update from Michigan's Alcohol Forum

**T**he various workgroups are continuing to implement the action strategies that derived from the Michigan Alcohol Forum. Following is an update of the status of each workgroup's progress.

## YOUTH WORKGROUP

MCRUD will continue to work with the School Board Association in FY2003 to develop a policy for underage drinking that can be standardized for any school to adopt. This activity was suspended over summer vacation, but facilitation of this activity will now resume. MCRUD is also discussing with the Michigan Judicial Institute (MJI) the best way to provide best practice information for communities/coalitions interested in underage drinking court programs.

## TREATMENT WORKGROUP

The treatment workgroup will work with the Michigan Association of Substance Abuse Coordinating Agencies (MASACA) to serve as the facilitator in the development and coordination of regional teams to provide select communities with training on improving the collaboration and communication between their treatment and court systems. The treatment committee developed and presented a work plan to MASACA. MASACA will now proceed with preparing a grant application to OHSP, as well as begin soliciting applicants for the project consultant. It is anticipated that the consultant will begin work on this program in January 2003.

## SERVER WORKGROUP

The Impaired Driving Action Team met in May and August. One topic of discussion was the planning and implementation of the server workgroup action strategy—the development and distribution of resource packets for special event organizers.

The server subcommittee is planning to meet with representatives of the Michigan Festival and Events Association to present the idea to them and receive their input regarding the benefit of this type of educational tool. A funding solicitation letter has been drafted for distribution to various agencies and associations that would have an interest in supporting an alcohol awareness toolkit for special event organizers. A "Request for Proposals" (RFP) was also drafted. The RFP will be used to select a vendor to coordinate the development and evaluation of the toolkits. The use of the toolkits will be pilot tested with 4-5 select special events. Evaluations from the pilot events will assist in determining the effectiveness of the materials. If the materials are found to be beneficial, the toolkit will be revised and mass-produced for distribution through various channels within Michigan.

## "For Friends & Family. Drive Safe. Drive Sober."

**M**ichigan will take part in National Drunk and Drugged Driving (3D) Prevention Month, a nationwide effort to reduce impaired driving this holiday season. OHSP in partnership with the Michigan Beer & Wine Wholesalers Association (MBWWA) will repeat the statewide alcohol awareness campaign **"For Family & Friends. Drive Safe. Drive Sober."** throughout 3D month. The campaign will once again feature billboards, public service announcements and promotional items that will carry this slogan.

Join the OHSP, MBWWA and the rest of the traffic safety community in spreading the message to potential drunk drivers: **"For Family & Friends. Drive Safe. Drive Sober."**

If interested in distributing campaign materials in your community, visit the MBWWA's website at <http://www.mbwwa.org/public/famfriend.asp?a=&b=>.

For information on other activities being conducted for 3D Month, visit the following websites:

- 3D Coalition: [www.3dmonth.org](http://www.3dmonth.org)
- National Highway Traffic Safety Administration: [www.nhtsa.dot.gov](http://www.nhtsa.dot.gov)



## OHSP recruiting law enforcement liaisons

**O**HSP is currently recruiting for two new liaison positions to assist with marketing statewide mobilizations and the OHSP law enforcement challenge in an effort to gain 100 percent sign up and participation. The goal of this program is to raise the state's safety belt use rate to 90 percent by 2004 and significantly decrease the rate of alcohol related crashes. These persons will also work with OHSP's current Law Enforcement Liaisons (LELs) to develop a plan of coordination promoting the programs and making agency visits. The LELs will assist by providing training on the environment and procedures.

## Secondary Road Patrol Contracts

**T**he Secondary Road Patrol program, which provides funding for deputies to patrol secondary roads, has just completed its 2002 fiscal year contract. During the year, \$12,385,600 in funds were made available to the counties in the state that met the requirements of the enabling act (Public Act 416). Eighty-two of the 83 counties in the state contracted with OHSP to receive a portion of these funds, which are used to cover wages and related costs for the deputies. Approximately \$12,153,400 has been or will be paid to the counties to reimburse these costs for the 2002 fiscal year, with any remaining funds carrying over into the next fiscal year.

For fiscal year 2003, \$12,385,600 in funds is available to the sheriff departments throughout the state, and contracts have again been established with 82 counties to receive a portion of these funds. Beginning in this fiscal year, funding for the Secondary Road Patrol program is based entirely on a \$10 surcharge assessed on most moving traffic violations. This surcharge was increased in 2002, replacing general fund dollars as a funding source. Any shortfalls resulting initially from the conversion to the surcharge will be made up with funds carried over from 2002, allowing the program to remain funded at previous levels.

## Three new BATmobiles hit the streets

**M**arquette, Lansing, and Monroe County took ownership of the newest tools to fight drunk driving! The vans will be appearing at various community events and at locations to educate the public about impaired driving, including sporting events. SNN will publish the results of the enforcement details as they become available. Since the van has been hard at work in and around the Holland area, they are finding it easier to arrest a person based on a PBT reading of .08 or .09 as they are able to give the evidentiary Data Master test much sooner than driving 30 minutes or more to a testing facility.



## GTSAC Website Unveiled

**A**ttention traffic safety partners!! Don't forget to check the Governors' Traffic Safety Advisory Commission web site to receive the latest information and updates on traffic safety activity within Michigan. The web site is located at the following link: [http://www.michigan.gov/msp/0,1607,7-123-1593\\_3504\\_21777---,00.html](http://www.michigan.gov/msp/0,1607,7-123-1593_3504_21777---,00.html).



## OHSP Staff Changes

Over the past several months, there have been many staff changes at OHSP. Debbie Koenigsknecht and Tina Hissong took other positions within the state; Sandy Brown, Susan Guggemos, David Huffman and Mark Iansiti took advantage of the state's early retirement offer.

On the plus side, OHSP recently welcomed Brenda Roys who was hired to replace Debbie Koenigsknecht as secretary to the Grant Development Unit. Before coming to OHSP, Brenda was employed with the Michigan State Police.

Dianne Perukel, currently with OHSP, moved into the Youth Programs position vacated by Tina Hissong.

OHSP has been conducting interviews to fill those positions created by staff members who retired. Look for new additions in the next newsletter!

## HOW TO REACH US!

### OHSP Staff:

Contact	Program Area	Phone	E-mail
Pat Carrow	School bus safety, mature drivers, diversity, motorcycle safety training	(517) 333-5315	carrowp@michigan.gov
Jamie Dolan	Upper Peninsula programs, injury control, EMS	(906) 225-7036	dolanj@michigan.gov
Pat Eliason	Occupant protection, safety belt enforcement and child passenger safety	(517) 333-5318	eliasonp@michigan.gov
Kathy Farnum	Planning, grant development	(517) 333-5316	farnumk@michigan.gov
Kim Kelly	Secondary Road Patrol, truck safety	(517) 333-5305	kellykw@michigan.gov
Dianne Perukel	Youth alcohol, bicycle safety, young drivers	(517) 333-5337	perukeld@michigan.gov
Anne Readett	Public information, media	(517) 333-5317	readetta@michigan.gov
Debbie Savage	Police traffic services	(517) 333-5324	savaged@michigan.gov
Steve Schreier	Engineering, traffic crash data	(517) 333-5306	schreies@michigan.gov
Alicia Sledge	Alcohol, impaired, fatigued, aggressive, distracted drivers, impaired riding, biking and walking, adjudication	(517) 333-5321	sledgea@michigan.gov
Dan Vartanian	Corporate outreach, Network for Employers of Traffic Safety (NETS) and Safe Communities	(517) 333-5322	vartanid@michigan.gov

### Criminal Justice Information Center:

Amy Alderman	Traffic crash statistics	(517) 322-6025	aldermana@michigan.gov
Mary Wichman	Traffic data unit, FARS	(517) 322-5524	wichmanm@michigan.gov



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